



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"Enriching Lives"*

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P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

January 21, 2004

IN REPLY PLEASE  
REFER TO FILE: **MP-5**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION  
SANITARY SEWER EASEMENT - EAST RANCHO DOMINGUEZ  
SUPERVISORIAL DISTRICT 2  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find that the public service easement for sanitary sewer purposes is no longer required for public use and that the easement may be vacated under the authority of Section 5400 of the California Health and Safety Code.
3. Find pursuant to Section 8333 (a and b) of the California Streets and Highways Code that:
  - a. The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
  - b. The date of the dedication or acquisition of the easement is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date.

4. Find that the easement for sewer purposes to be vacated is no longer needed for present or prospective public use.
5. Adopt the enclosed Resolution of Summary Vacation to Vacate Sanitary Sewer Easement north of Alondra Boulevard and west of White Avenue, legally described in Exhibit "A" and as shown on the map in Exhibit "B", attached to the Resolution.

### **PURPOSE OF RECOMMENDED ACTION**

Mr. Engles Shen, on behalf of Compton Garden Limited Partnership, has requested adoption of the enclosed Resolution to remove from the record an excess public service easement for sanitary sewer purposes within the properties.

The sanitary sewer easement, as shown and dedicated in Tract No. 52144 in August 2001, was deemed unnecessary as a public service easement as it only serves properties under one ownership. As such, we recommend that the sewer facilities be operated and maintained by the property owner. The vacation of the sewer easement will have no negative impact on the surrounding properties in the area.

It is in the County's interest to vacate this sanitary sewer easement as a public service easement since it no longer serves the purpose for which it was dedicated. With this action, your Board will vacate an easement the County and the public no longer need.

### **Implementation of Strategic Plan Goals**

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of the sewer easement will result in added revenue through assessment and taxation, eliminates unnecessary maintenance cost, and removes possible County exposure to liability.

### **FISCAL IMPACT/FINANCING**

Vacation of the easement will not have a negative fiscal impact on the County budget. A fee of \$2,000 was paid by the petitioner to finance the cost of the vacation.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The area to be vacated contains approximately 2,350 square feet and is shown on the map (Exhibit "B") attached to the Resolution.

The County's interest was acquired as an easement for sanitary sewer purposes by dedication in the map of Tract No. 52144, filed in Book 1261, pages 42 to 44, inclusive, of Maps, on file in the office of the Recorder of the County of Los Angeles.

Vacation of the sewer easement is a condition of the building permit application. Occupancy of the leased property is contingent upon your adoption of the enclosed Resolution of Summary Vacation. Public Works has concluded that the 10-foot sanitary sewer easement will be better served as a privately owned and maintained facility. The vacation, when consummated, will relieve Public Works of the maintenance responsibility over the sewer line outside of the street right of way.

The California Health and Safety Code and the Public Streets, Highways, and Service Easement Vacation Law allow your Board to voluntarily relinquish the County interest and terminate the rights of the public to the vacation area and dispose of excess County right of way. Your action will also result in the property being unencumbered of the public easement, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated area.

### **ENVIRONMENTAL DOCUMENTATION**

With respect to requirements of CEQA, this proposed vacation is categorically exempt as specified in Classes 5(l) and 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15305 and 15321 of State CEQA Statutes and Guidelines.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

None.

The Honorable Board of Supervisors  
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**CONCLUSION**

This action is in the County's best interest. Enclosed is a Resolution of Summary Vacation to Vacate Sanitary Sewer Easement, approved as to form by County Counsel. Upon adoption of the Resolution, please return the executed original and a copy to Public Works for further processing. In the interim, please retain one executed copy for your files. Public Works will record the Resolution and return the executed original Resolution to you when recorded.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES  
Director of Public Works

CVC:adg  
P5\SEWER ALONDRA BRD

Enc.

cc: Chief Administrative Office  
County Counsel

RECORDING REQUESTED BY AND  
MAIL TO:

COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
P.O. Box 1460  
Alhambra, CA 91802-1460  
Attn: Mapping & Property Management Division  
R/W Engineering Section  
(Chris Cristobal)

*Space Above This Line Reserved for Recorder's Use*

**RESOLUTION OF SUMMARY VACATION  
TO VACATE SANITARY SEWER EASEMENT**

BE IT RESOLVED by the Board of Supervisors and the County of Los Angeles that it is hereby found and determined that the portion of real property dedicated to the County of Los Angeles as an easement for sanitary sewer purposes, legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference, which right of way is located in the unincorporated County area known as East Rancho Dominguez, in the County of Los Angeles, State of California, is no longer needed for present or prospective public use based on the following facts: (1) that the easement has not been used for the purpose for which it was dedicated or acquired for five years immediately preceding the proposed vacation; (2) that the date of dedication or acquisition of the easement is less than five years, and more than one year, immediately preceding the proposed vacation and the easement was not used continuously since that date; and (3) there are no other public facilities located within the easement.

BE IT FURTHER RESOLVED that the public street service easement for sanitary sewer purposes in, over, and across the right of way legally described in Exhibit "A" attached is hereby vacated pursuant to Section 5400 of the Health and Safety Code of the State of California and Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330.

AND BE IT FURTHER RESOLVELD that the Department of Public Works be authorized to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the area vacated will no longer be a public service easement.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLETA VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

APPROVED AS TO FORM:

LLOYD W. PELLMAN  
County Counsel

By \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy

CVC:adg  
P5\SEWER ALONDRA BRD

**EXHIBIT "A"**

**SANITARY SEWER EASEMENT N/O ALONDRA BOULEVARD W/O WHITE  
AVENUE  
(M0391101)**

That certain parcel of land lying within Lot 1 of Tract No. 52144, as shown on map filed in Book 1261, pages 42 to 44 inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, designated as "10-FEET-WIDE EASEMENT TO THE COUNTY OF LOS ANGELES FOR SANITARY SEWER PURPOSES" on said map.

Total Area: 2,350 square feet

Description Approved

JAMES A. NOYES  
Director of Public Works

By \_\_\_\_\_  
Deputy